

**Remarks**

Reconsideration is respectfully requested.

**Claim Amendments**

There are no claims amended.

**Claim Rejections – 35 USC § 102**

The Examiner has rejected claims 1-2, 6, 15-16, 20 and 29-30 under 35 USC 102(e) as being anticipated by Perazzo U.S. Patent No. 6,813,152. Applicant respectfully traverses. The claims are not anticipated. It is well settled that "A claim is anticipated only if each and every element as set forth in the claim is not found, either expressly or inherently described, in a single prior art reference." See MPEP 2131.

The examiner states:

"With respect to claim 1 Perazzo teaches a modular platform cooling apparatus, comprising: at least one plenum (Fig. 7, #42) associated with the apparatus; and a first and second fan module (Fig. 7, #10 left and right side) configured to removably (Col. 2 line 44) and independently (Col. 2, line 53) engage the plenum..."

Applicant respectfully disagrees with the examiner's assertion that Perazzo discloses a first and second fan module configured to removably and independently engage the plenum. In fact Perazzo's teaching is to mitigate air flow impedance experienced when one or more fans in a module fails by positioning fans in a "staggered or offset" (col.3, line 1) fashion "allowing airflow to continue" (col. 3, line 5).

The examiner cites col. 2, line 53 as disclosing applicants claim element "independently engage the plenum". However, col. 2, lines 52 and 53 of Perazzo instead disclose "a system which can provide sufficient air flow to allow a system to operate indefinitely with a single fan failure". "Independent engagement of the plenum" is not found here or anywhere in the reference. In fact, upon reading the whole reference, and upon doing a word search of a soft copy of the reference, no occurrence of "independent", "independently", or equivalent can be found.

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In addition, inspection of the drawings does not lead one to conclude Perazzo intends the fan modules to engage the plenum independently. FIGS. 3 and 6 appear to show a single module housing 12 broken away from the sub rack 38 simply for ease of illustration. No teaching or suggestion is made otherwise. The different thickness of the cross hatched area surrounding the module housing 12 in FIGS. 4 and 5 verses the cross hatched area surrounding the module housing 12 in FIG. 6 illustrates Perazzo intends no particular teaching regarding the area surrounding the module housing. No particular context is implied. To characterize Perazzo's module housings 12 as a first and second fan module removably and independently engaging the plenum is merely conjecture.

Claim 1, and independent claim 15 each includes "...a first and a second fan module configured to removably and independently engage the plenum". As discussed, the Parazzo reference does not anticipate at least this part of these claims. Reconsideration of the examiners rejection and allowance of the claim is respectfully requested.

Further, regarding claim 2 and claim 16 which respectively depend from claims 1 and 15, and which both include the wording "... the first and second fan modules each include a plurality of fans arranged in a matrix array", each and every element as set forth in these claims is not found either. In fact Perazzo teaches away from arranging fans in a matrix. As mentioned his teaching is to mitigate air flow impedance experienced when one or more fans in a module fails by positioning fans in a "staggered or offset" (col.3, line 1) fashion "allowing airflow to continue" (col. 3, line 5). All the figures and accompanying description in his disclosure show offset fans. FIG. 4 - Col. 4 line 46, "Fan 16 is further offset from the fan 14 in the x direction". FIG. 5 - "Here the fans 14 and 16 ... are staggered in both the x and the y direction". FIG. 6 - "...the fans 14, 16, and 18 are provided at successive angles between 0 and 90 degrees". Claims 2 and 16 are clearly not anticipated. Reconsideration of the examiners rejection and allowance of the claim is respectfully requested.

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Claims 6, 20, 29-30 are also considered by the applicant to be allowable at least by virtue of their direct or indirect dependence on claims 1 or 15. Reconsideration of the examiners rejection and allowance of the claim is respectfully requested.

#### **Claim Rejections – 35 USC § 103(a)**

The Examiner has rejected claims 3 and 17 under 35 USC 103(a) as being unpatentable over Perazzo U.S. Patent No. 6,813,152 as applied in view of Edmunds et al. U.S. Patent No. 6,407,918. Applicant respectfully traverses. At least by virtue of their direct or indirect dependence on claims 1 or 15 and/or on claims 2 and 16, claims 3 and 17 should be found allowable. Reconsideration of the examiners rejection and allowance of the claim is respectfully requested.

The Examiner has rejected claims 4 and 18 under 35 USC 103(a) as being unpatentable over Perazzo U.S. Patent No. 6,813,152 as applied in view of Yoshikawa U.S. Patent No. 6,222,729. Applicant respectfully traverses. At least by virtue of their direct or indirect dependence on claims 1 or 15 and/or on claims 2 and 16, claims 4 and 18 should be found allowable. Reconsideration of the examiners rejection and allowance of the claim is respectfully requested.

The Examiner has rejected claims 5 and 19 under 35 USC 103(a) as being unpatentable over Perazzo U.S. Patent No. 6,813,152 as applied in view of Dent U.S. Patent No. 6,537,019. Applicant respectfully traverses. At least by virtue of their direct or indirect dependence on claims 1 or 15 and/or on claims 2 and 16, claims 5 and 19 should be found allowable. Reconsideration of the examiners rejection and allowance of the claim is respectfully requested.

The Examiner has rejected claims 7 and 21 under 35 USC 103(a) as being unpatentable over Perazzo U.S. Patent No. 6,813,152 as applied in view of Houdek U.S. Patent No. 6,406,257. Applicant respectfully traverses. At least by virtue of their direct or indirect dependence on claims 1 or 15 and/or on claims 2 and 16, claims 7 and 21 should be found allowable. Reconsideration of the examiners rejection and allowance of the claim is respectfully requested.

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The Examiner has rejected claims 8-10, 12-14 22-24 33-34 under 35 USC 103(a) as being unpatentable over Perazzo U.S. Patent No. 6,813,152 as applied to the above claims. Applicant respectfully traverses. At least by virtue of depending from allowable base claims 1 and 15, discussed above, respective dependent claims 8-10, 12-14 22-24 33-34 should be found allowable. Such allowance is respectfully requested.

The Examiner has rejected claims 31 and 32 under 35 USC 103(a) as being unpatentable over Perazzo U.S. Patent No. 6,813,152 as applied in view of Negishi U.S. Patent No. 6,421,238. Applicant respectfully traverses. At least by virtue of their direct or indirect dependence on claims 1 or 15 and/or on claims 2 and 16, claims 31 and 32 should be found allowable. Reconsideration of the examiners rejection and allowance of the claim is respectfully requested.

### Conclusion

Applicant submits all the claims in the present application, specifically claims 1-10, 12-24, and 26-34, are in condition for allowance. Reconsideration of the examiners objections and rejections, and issuance of a Notice of Allowance is respectfully requested.

If the Examiner has any questions, he is invited to contact the undersigned at (503) 796-2496.

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

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Pacwest Center, Suite 1900  
1211 SW Fifth Avenue  
Portland, Oregon 97204  
Telephone: 503-222-9981

  
Christopher D. Goodman, Ref. No. 34,338

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